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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,350	03/29/2004	Yongbin Yuan	1-23361	2687

46582 7590 02/27/2006

MACMILLAN, SOBANSKI & TODD, LLC
ONE MARITIME PLAZA - FOURTH FLOOR
720 WATER STREET
TOLEDO, OH 43604

EXAMINER

SICONOLFI, ROBERT

ART UNIT

PAPER NUMBER

3683

DATE MAILED: 02/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/21/05 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 23-29, 33-39 43-48 are rejected under 35 U.S.C. 102(b) as being anticipated by Horth.

Horth discloses the use of an aqueous solution of sodium silicate with aluminum oxide (alumina) and bound with a liquid phenolic resin (see column 2 lines 38-60). Mixture can be applied numerous ways, column 2 lines 27-32.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 3683

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 32, 42, 51 rejected under 35 U.S.C. 103(a) as being unpatentable over Horth.

Horth is relied upon as above. Horth does not disclose the coating thickness used. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the claimed range of thickness in order to have an appropriate coating thickness so as to achieve the function of maintaining appropriate friction levels during the initial period but not as to interfere with the operation of the brake after the initial wear in phase has passed.

6. Claims 30,31,40,41,49,50 is rejected under 35 U.S.C. 103(a) as being unpatentable over Horth in view of Parker.

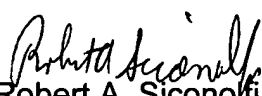
Horth is relied upon as above. Horth does not disclose the use of iron oxide as the abrasive. Parker teaches the use of iron oxide as the abrasive with a 4 to 1 weight ratio (see column 4 line 1). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use iron oxide as the abrasive in the coating of Horth as they are considered equivalents for this function and the choice of materials is based on factors such as cost and ease of use and therefore one would have chosen iron oxide as a matter of design choice.

Art Unit: 3683

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert A. Siconolfi whose telephone number is 571-272-7124. The examiner can normally be reached on M-F 10 am-3 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James McClellan can be reached on 571 272-6786. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

 7/18/06
Robert A. Siconolfi
Primary Examiner
Art Unit 3683

RS